



California Regional Water Quality Control Board

San Diego Region

Supporting Document No. 3
Item No. 8
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9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego/>

TENTATIVE ORDER NO. R9-2010-0090

AN ORDER MODIFYING ORDER NO. R9-2009-0080 NPDES NO. CA0109151 BAE SYSTEMS SAN DIEGO SHIP REPAIR, INC. DISCHARGE TO SAN DIEGO BAY

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board), finds that:

1. On June 10, 2009, the San Diego Water Board adopted Order No. R9-2009-0080, National Pollutant Discharge Elimination System (NPDES) No. CA0109151, establishing waste discharge requirements for BAE Systems San Diego Ship Repair, Inc. (NPDES Order) to discharge drydock ballast water, fire protection water, potable water leaks from hoses, steam condensate leaks from hoses, and water weight test bag effluent to San Diego Bay from numerous locations.
2. By letter dated May 25, 2010, BAE Systems San Diego Ship Repair, Inc. (Discharger) requested the San Diego Water Board to remove the drydock Diligence/AFDL (Discharge Point BW-002) from coverage under the NPDES Order. This drydock was sold and no industrial activity will be conducted on the drydock. The drydock is scheduled to be relocated not later than June 30, 2010. The buyer has been notified that they are not authorized to conduct any ship repair/industrial activity on the drydock until they obtain NPDES permit requirements for discharges of waste from the drydock. The drydock is currently covered under the federal Vessel General Permit when it is underway as a vessel and that coverage will be transferred with the drydock to its new owner.
3. Federal NPDES program regulations [40 CFR 122.63(e)(2)] allow a minor modification to delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits. The deletion of the discharge from the drydock, as described in this Order, is considered to be a minor modification (pursuant to 40 CFR 122.63). No other change to Order No. R9-2009-0080, NPDES No. CA0109151 is necessary.
4. The San Diego Water Board has notified the Discharger and all known interested persons of the intent to modify Order No. R9-2009-0080, NPDES No. CA0109151 to

delete the drydock Dilligence/ AFDL.

5. The San Diego Water Board in a public meeting has heard and considered all comments pertaining to the proposed minor modifications to the NPDES Order.

6. Under Water Code section 13389, this action to amend an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21000-21177.

IT IS HEREBY ORDERED, that:

Except as modified or superseded by the permit modifications set forth below, all of the findings, prohibitions, provisions, and other requirements of Order No. R9-2009-0080, NPDES No. CA0109151 remain in full force and effect. The following modifications of Order No. R9-2009-0080, NPDES No. CA0109151 are hereby incorporated and immediately effective:

1. Table 2 of Order No. R9-2009-0080 shall be changed as follows:

Table 2. Discharge Locations

| Discharge Point | Effluent Description | Discharge Point Latitude | Discharge Point Longitude | Receiving Water |
|--------------------------|--------------------------|--------------------------|---------------------------|--------------------------|
| BW-001 (POSD) | Ballast Water | 32° 41' 25" N | 117° 8' 41" W | San Diego Bay |
| BW-002 (AFDL) | Ballast Water | 32° 41' 26" N | 117° 8' 36" W | San Diego Bay |
| FP-001 (Pier 3) | Fire protection water | 32° 41' 25" N | 117° 8' 41" W | San Diego Bay |
| FP-002 (Building 13) | Fire protection water | 32° 41' 29" N | 117° 8' 39" W | San Diego Bay |

2. Table 5 of Order No. R9-2009-0080 shall be changed as follows:

Table 5. Basin Plan Beneficial Uses

| Discharge Point Nos. | Receiving Water Name | Beneficial Use(s) |
|--|----------------------|---|
| BW-001; BW-002 ; FP-001; FP-002; FP-003;PW-001; PW-002; SC-001; SC-002; SW-001 through SW-006 | San Diego Bay | <u>Existing</u> : Industrial service supply (IND); navigation (NAV); contact water recreation (REC1); non-contact water recreation (REC2); commercial and sport fishing (COMM); preservation of biological habitats of special significance (BIOL); estuarine habitat (EST); wildlife habitat (WILD); preservation of rare, threatened or endangered species (RARE); marine habitat (MAR); migration of aquatic organisms (MIGR); shellfish harvesting (SHELL) |

3. Final Effluent Limitations IV.A.2 of Order No. R9-2009-0080 will be changed as follows:

Final Effluent Limitations – Discharge Point Nos. BW-001, ~~BW-002~~, FP-001, FP-002, FP-003, PW-001, PW-002, SC-001, SC-002

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point Nos. BW-001, ~~BW-002~~, FP-001, FP-002, PW-001, PW-002, SC-001, and SC-002, with compliance measured at Monitoring Location Nos. BW-001, ~~BW-002~~, FP-001, FP-002, FP-003, PW-001, PW-002, SC-001, and SC-002 as described in the attached Monitoring and Reporting Program (MRP):

4. Compliance Schedule for Drydock Ballast Water Sampling VI.C.7.b.i. of Order No. R9-2009-0080 will be changed as follows:

By December 31, 2010, the Discharger shall comply with the sampling requirements for drydock ballast water. The Discharger has requested a compliance schedule to design and install a system to sample discharge water from the ballast system on the ~~two~~ drydocks.

5. Monitoring and Reporting Program, Table of Contents of Order No. R9-2009-0080 will be changed as follows:

| | | |
|------|---|-----|
| I. | General Monitoring Provisions | E-3 |
| II. | Monitoring Locations | E-4 |
| III. | Influent Monitoring Requirements | E-4 |
| IV. | Effluent Monitoring Requirements | E-5 |
| A. | Monitoring Locations BW-001 and BW-002 | E-5 |
| B. | Monitoring Locations PW-001 and PW-002 | E-6 |
| C. | Monitoring Locations FP-001, FP-002, WW-001, and WW-002 | E-7 |
| D. | Monitoring Locations SC-001 and SC-002 | E-8 |

6. Table E-1 of Monitoring and Reporting Program, Monitoring Station Locations II. of Order No. R9-2009-0080 will be changed as follows:

Table E-1. Monitoring Station Locations

| Discharge Location No. | Monitoring Location Name | Monitoring Location Description |
|------------------------|--------------------------|---|
| INF-001 | INF-001 | A location where a representative sample of the receiving water entering the Fire Water Protection System intake can be obtained. |

| | | |
|-------------------|-------------------|---|
| BW-001 | BW-001 | A location where a representative sample of the ballast water can be obtained just prior to, or during the discharge into the Bay by the POSD Drydock. |
| BW-002 | BW-002 | A location where a representative sample of the ballast water can be obtained just prior to, or during the discharge into the Bay by the AFDL Drydock. |
| FP-001 | FP-001 | A location where a representative sample of the fire protection system from Pier 3 can be obtained: 32° 41' 24" N; 117° 8' 41" W |

7. Monitoring and Reporting Program, Effluent Monitoring Requirements IV.A.1 of Order No. R9-2009-0080 will be changed as follows:

The Discharger shall monitor the discharge of ballast water at Monitoring Location Nos. BW-001 ~~and BW-002~~ by December 31, 2010 in accordance with the time schedule in Section VI.C.7.b of this Order as follows:

8. Fact Sheet, Facility Description II. of Order No. R9-2009-0080 will be changed as follows:

The Facility is a full service ship repair facility and occupies approximately 10.39 acres of land and 16.64 acres of water on the eastern waterfront of central San Diego Bay. The San Diego Unified Port District is the lessor to BAE. The Facility consists of five piers ranging in length from 257 feet to 700 feet and ~~two a~~ floating dry docks. ~~The auxiliary floating dry dock (AFDL) has a lifting capacity of 4,000 tons and is located on the south side of pier 4.~~ The Pride of San Diego (POSD) dry dock has a lifting capacity of 22,000 tons and is located south of pier 2.

The piers and wharves moor and support berthed vessels that are undergoing repair operations, as well as berthing barges used to house vessel crews while ship repairs are being conducted. A concrete wharf is utilized to access the POSD dry dock. Wastes staged and transported across piers may include spent abrasives, paint, petroleum products, sanitary waste, and general refuse and debris.

The dry dock ~~s-are~~is used to conduct repair and maintenance activity which cannot normally be conducted while the vessel is waterborne. These activities generally include exterior: hull repair; abrasive blasting; hydroblasting; painting; the repair or replacement of shafts, propellers, and rudders; and the repair or replacement of valves and fittings below the waterline. Ship launching and recovery is accomplished by means of integral ballast tanks, which take in and discharge seawater used to raise and lower the dry docks. Wastes generated during ship repair include spent abrasives, paint, rust, petroleum products, marine growth and general refuse and debris. ~~Both~~The dry dock ~~s-are~~is contained to prevent storm water and wash water from entering the receiving water.

9. Fact Sheet, Floating Drydock Ballast Water II.A.1 of Order No. R9-2009-0080 will be changed as follows:

Floating Drydock Ballast Water. Sinking and floating of the POSD ~~and AFDL~~ is accomplished by flooding or ballasting the ballast tanks of the floating drydocks. Ballast water from the POSD ~~and AFDL~~ is discharged through Discharge Point Nos. ~~DDBW-001 and DD-002, respectively.~~ The estimated discharge of ballast water is up to 9 million gallons ~~and 4.488 million gallons~~ per lift for the POSD ~~and the AFDL,~~ ~~respectively.~~

10. Table F-2 in the Fact Sheet, Discharge Points and Receiving Waters II.B.2 of Order No. R9-2009-0080 will be changed as follows:

Table F-2. Discharge Locations

| Discharge Point | Effluent Description | Discharge Point Latitude | Discharge Point Longitude | Receiving Water |
|--------------------------|--------------------------|--------------------------|---------------------------|--------------------------|
| BW-001 (POSD) | Ballast Water | | | San Diego Bay |
| BW-002 (AFDL) | Ballast Water | | | San Diego Bay |
| FP-001 (Pier 3) | Fire protection water | 32° 41' 25" N | 117° 8' 41" W | San Diego Bay |
| FP-002 (Building 13) | Fire protection water | 32° 41' 29" N | 117° 8' 39" W | San Diego Bay |

11. Fact Sheet, Applicable Technology-Based Effluent Limitations IV.B.2.e. of Order No. R9-2009-0080 will be changed as follows:

In addition, and consistent with the current requirements for a similar facility in the Region (NPDES No. CA0109134 – NASSCO) the numeric technology-based effluent limitations are applied to the discharge of ballast water from the floating drydocks at Discharge Point Nos. BW-001 ~~and BW-002.~~

12. Fact Sheet, Determining the Need for WQBELs IV.C.3.b. of Order No. R9-2009-0080 will be changed as follows:

Data for the potable water leaks from hoses (PW-001 and PW-002), and ballast water discharges (BW-001 ~~and BW-002~~) were not available to conduct a RPA. Monitoring requirements for the CTR priority pollutants have been established in the MRP for potable water leaks from hoses at Discharge Point Nos. PW-001 and PW-002), and ballast water discharges (BW-001 ~~and BW-002~~) to determine reasonable potential for these discharges during future permitting efforts. Possible pollutants of concern for ballast water include copper and arsenic, as background data indicates that they are present in the receiving water at levels that exceed water quality criteria and are likely to be present in the discharge of ballast water. However, the

facility does not alter the floating drydock ballast tank water chemically or physically, so additional degradation of the receiving water during the monitoring period due to the discharge of ballast water is not expected. The Order may be reopened by the Regional Water Board for revisions as allowed in Provision VI.C.1.d (reopener), for the addition of effluent limitations, prohibitions, and additional monitoring requirements, based on the findings of the priority pollutant monitoring.

13. Fact Sheet, Ballast Water IV.B.3 of Order No. R9-2009-0080 will be changed as follows:

Ballast Water (Monitoring Locations BW-001 and BW-002)

I, David W. Gibson, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on June 9, 2010.

David W. Gibson
Executive Officer